

**UNITED STATES OF AMERICA
DISTRICT COURT OF MASSACHUSETTS**

RICHARD W. DUGGAN ,
Plaintiff,
v.

Civil Action No. 04 -11116-DPW

JOHN POTTER, POSTMASTER GENERAL, ET AL.
Defendants

DECLARATION OF RICHARD W. DUGGAN

I Richard W. Duggan , make the following declaration in lieu of an affidavit,
pursuant

to 28 U.S.C. 1746:

1. This declaration is made upon my personal knowledge. I am over 21 years of age and I am competent to give this declaration in all respects.
2. I am the plaintiff, and have been employed by the Postal Service since August 2, 1986.
3. I was on annual leave in Florida the week of February 8-13, and did not return to my residence until February 16, 2004.
4. On February 17, 2004 at approximately 5:45AM I left my residence to drive to the Boston P&DC, then be driven to Logan Intl airport for a flight to Albany NY where I was being detailed for two (2) weeks.
5. I returned home on Friday afternoon February 20, 2004 due to the death of one of my brother-in-laws. The wake was Sunday February 22, and the funeral was held on February 23, 2004.
6. On February 20, 2004 when I returned home I opened up the envelope from Mary Ann Keefe, USPS EEO Dispute Resolution Specialist.

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7. On February 22, 2004 in the early afternoon I signed the Notice of Right to File an Individual Complaint form and dated is 2-20-04.
8. On February 22, 2004 in the early afternoon I completed filling out the EEO Complaint of Discrimination in the Postal Service form and signed and dated it 2-22-04. I then made copies of it, wrote the mailing date of 2-22-03(sic) on it and placed all of the documents in the envelope. I then walked to the US Mail Collection box located adjacent to our building, approximately 50 yards away.
9. From April 1993 until approx March 27, 1997 I was assigned as a Labor Relations specialist for the Springfield District domiciled at the White River Jct P&DC.
10. On March 30, 1997 I began a detail as an Operations Support Specialist at the Boston P&DC.
11. In Late August 1997 I was permanently reassigned to the position of Manager of the Priority Mail Facility in South Boston, MA.
12. In late June 1998 I was selected for the position of Manager Distribution Operations (EAS-24) in the Boston P&DC.
13. On October 16, 1997 I settled two (2) EEO Complaints. At that time I was the permanent Manager of the Priority Mail Facility in South Boston, MA.
14. On April 14, 2004 I emailed Ms. Keefe and asked where my paperwork was. We exchanged emails and on 4-14-04 I wrote a letter and put in in a penalty envelope dated it 4-15-04 and mailed it on 4-15-04.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

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Executed at Brockton, Massachusetts, this 27th day of October, 2004.


Richard W. Duggan

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